

THURSDAY, MAY 11, 2000
SEVENTY-SIXTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Maddox.

Representative Maddox led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bowers; business reasons.

Representative Jackson; personal reasons.

Representative Rhinehart; illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 703: Rep(s). Patton as prime sponsor(s).

House Bill No. 715: Rep(s). Bittle and Hargett as prime sponsor(s).

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House Bill No. 717: Rep(s). Hargett, Bittle and Todd as prime sponsor(s).
House Bill No. 718: Rep(s). Hargett, Todd and Bittle as prime sponsor(s).
House Bill No. 2117: Rep(s). Black, Patton, Dunn and Bittle as prime sponsor(s).
House Bill No. 2160: Rep(s). Black as prime sponsor(s).
House Bill No. 2187: Rep(s). Black as prime sponsor(s).
House Bill No. 2297: Rep(s). Baird and Ferguson as prime sponsor(s).
House Bill No. 2600: Rep(s). Pleasant as prime sponsor(s).
House Bill No. 3009: Rep(s). Black as prime sponsor(s).
House Bill No. 3049: Rep(s). Wood, Baird, Montgomery, Buttry and Walker as prime sponsor(s).

MESSAGE FROM THE SENATE

May 9, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2005, 2021, 2034, 2037, 2617, 2644, 2877, 2886, 2939, 3110, 3204; also, Senate Joint Resolution(s) No(s). 531, 547, 610, 620 and 767 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

SIGNED

May 9, 2000

The Speaker signed the following: Senate Bill(s) No(s). 2005, 2021, 2034, 2037, 2617, 2644, 2877, 2886, 2939, 3110, 3204; also, Senate Joint Resolution(s) No(s). 531, 547, 610, 620 and 767.

ENROLLED BILLS

May 9, 2000

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 73, 262, 1574, 1932, 2095, 2114, 2129, 2159, 2181, 2188, 2226, 2238, 2352, 2429, 2490, 2572, 2610, 2845, 2959, 2986, 3033, 3055, 3122, 3248; House Joint Resolution(s) No(s). 658; also, House Resolution(s) No(s). 205, 206, 207, 208, 210, 211, 212, 213 and 214.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
May 9, 2000

The Speaker signed the following: House Bill(s) No(s). 73, 262, 1574, 1932, 2095, 2114, 2129, 2159, 2181, 2188, 2226, 2238, 2352, 2429, 2490, 2572, 2610, 2845, 2959, 2986, 3033, 3055, 3122, 3248; House Joint Resolution(s) No(s). 658; also, House Resolution(s) No(s). 205, 206, 207, 208, 210, 211, 212, 213 and 214.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
May 9, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 73, 262, 1574, 1932, 2095, 2114, 2129, 2159, 2181, 2188, 2226, 2238, 2352, 2429, 2490, 2572, 2610, 2845, 2959, 2986, 3033, 3055, 3122, 3248; also, House Joint Resolution(s) No(s). 658; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
May 9, 2000

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 73, 262, 1574, 1932, 2095, 2114, 2129, 2159, 2181, 2188, 2226, 2238, 2352, 2429, 2490, 2572, 2610, 2845, 2959, 2986, 3033, 3055, 3122, 3248; also, House Joint Resolution(s) No(s). 658.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR
May 9, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 3168, also, House Joint Resolution(s) No(s). 598, 599, 600, 601, 602, 603, 604, 606, 607, 608, 609, 612, 613, 614, 615, 616, 617, 618, 619, 621 and 653; with his approval.

MICHELLE LONG, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR
May 9, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2581, 2840, 2960, 3022, 3178, 3252, 3305, 3309, also, House Joint Resolution(s) No(s). 658; with his approval.

MICHELLE LONG, Counsel to the Governor.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2012.

The Senate refused to recede from its action in adopting Amendment(s) No(s). 2.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2434; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2794.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 5.

The Speaker appointed a Conference Committee composed of Senators Herron, Kurita and McNally to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2794.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2423; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 518; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 231; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2420 and 2769; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2919; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2914; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 623, 624, 625, 626, 627, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 654, 655, 656, 657, 659, 660, 661 and 677; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2388, 2612, 2685 and 2918; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2766; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 790, 791, 792, 793, 794 and 795; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Joint Resolution No. 775 -- Memorials, Professional Achievement - Sam Brown, 2000 Edward R. Murrow Regional Award for Investigatory Reporting. by *Burchett.

Senate Joint Resolution No. 776 -- Memorials, Academic Achievement - Wesley Taylor, Valedictorian, Watertown High School. by *Rochelle.

Senate Joint Resolution No. 777 -- Memorials, Academic Achievement - Joshua Kent Flory, Salutatorian, Watertown High School. by *Rochelle.

Senate Joint Resolution No. 778 -- Memorials, Academic Achievement - Lindsey Denise Nuchols, Salutatorian, Heritage High School. by *Clabough.

Senate Joint Resolution No. 779 -- Memorials, Academic Achievement - Brandon Smith, Salutatorian, Seymour High School. by *Clabough.

Senate Joint Resolution No. 780 -- Memorials, Academic Achievement - Ashley A. Groth, Valedictorian, Alcoa High School. by *Clabough.

Senate Joint Resolution No. 781 -- Memorials, Academic Achievement - April Michelle Sullivan, Salutatorian, Gatlinburg-Pittman High School. by *Clabough.

Senate Joint Resolution No. 782 -- Memorials, Academic Achievement - Jonathan Lannie Britton, Salutatorian, Alcoa High School. by *Clabough.

Senate Joint Resolution No. 783 -- Memorials, Academic Achievement - Kasi Gooch, Valedictorian, Seymour High School. by *Clabough.

Senate Joint Resolution No. 784 -- Memorials, Academic Achievement - Seok-Ho "John" Seo, Salutatorian, Kings Academy. by *Clabough.

Senate Joint Resolution No. 785 -- Memorials, Academic Achievement - Heather Sternshein, Valedictorian, Sevier County High School. by *Clabough.

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Senate Joint Resolution No. 786 -- Memorials, Academic Achievement - Laurel Mosher, Valedictorian, Kings Academy. by *Clabough.

Senate Joint Resolution No. 787 -- Memorials, Academic Achievement - David Carl Hoffercker, Jr., Salutatorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 788 -- Memorials, Academic Achievement - Shalena Parker, USAA Math Award. by *Burks.

Senate Joint Resolution No. 790 -- Memorials, Death - Dr. Charles W. "Chuck" Johnson. by *Crowe, *Burchett, *Atchley, *Womack.

Senate Joint Resolution No. 791 -- Memorials, Recognition - WSM, 75th anniversary. by *Haynes, *Rochelle, *Kyle, *Henry, *Harper.

Senate Joint Resolution No. 792 -- Memorials, Personal Achievement - Taijuan "Tootie" Thomas. by *Herron.

Senate Joint Resolution No. 793 -- Memorials, Sports - Trimble Elementary School boys' basketball team, TNT Tournament champions. by *Herron.

Senate Joint Resolution No. 794 -- Memorials, Death - Harlan Mullins. by *Burks, *Davis L.

Senate Joint Resolution No. 795 -- Memorials, Academic Achievement - Gloria Mallory, Graduate, San Diego State University. by *Harper.

**MESSAGE FROM THE SENATE
May 10, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 484, 711, 2036, 2123, 2140, 2222, 2402, 2738, 2804, 2871, 2889, 3197 and 3312; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

***Senate Bill No. 484** -- Consumer Protection - Enacts "Structured Settlement Protection Act." Amends TCA Title 47, Chapter 18. by *Haynes. (HB1143 by *McMillan, *Sharp)

Senate Bill No. 711 -- Insurance Companies, Agents, Brokers, Policies - Increases from three to five number of actuaries which may be employed by commissioner of commerce and insurance. Amends TCA Title 56. by *Herron. (*HB145 by *Odom)

***Senate Bill No. 2036** -- Sunset Laws - Council on pensions and insurance, June 30, 2008. Amends TCA Title 3, Chapter 9, and Title 4, Chapter 29. by *Springer, P, *Burchett, *Harper. (HB2087 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 2123** -- Local Government, General - Standardizes authorized investments of idle funds irrespective of form of government. Amends TCA Section 5-8-301; Section 6-56-106 and Title 9, Chapter 21. by *Cooper. (HB2330 by *Kisber)

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***Senate Bill No. 2140** -- Taxes, Litigation - Allows counties by a 2/3 vote to impose an additional litigation tax, up to \$10.00, for jail or workhouse construction or improvements. Amends TCA Title 67, Chapter 4, Part 6. by *Davis L. (HB2364 by *Curtiss, *Ferguson)

Senate Bill No. 2222 -- Civil Procedure - Makes permissive, rather than mandatory, tape recording of forfeiture proceeding. Amends TCA Title 40, Chapter 33, Part 2. by *Miller J. (*HB2026 by *Bunch, *Newton)

Senate Bill No. 2402 -- Traffic Safety - Requires log trucks to display revolving yellow lamp or reflective triangle emblem on rearmost extremity of vehicle or load; creates Class A misdemeanor offense for violation. Amends TCA Title 55. by *Miller J. (*HB2248 by *Bunch)

***Senate Bill No. 2738** -- Financial Disclosure - Deletes maximum aggregate contribution limit of 50 percent of total contributions for offices elected by statewide elections and \$75,000 in aggregate for any other state or local public office which candidates may accept from multicandidate political campaign committees for each election. Amends TCA Title 2, Chapter 10. by *Rochelle. (HB3067 by *Kisber)

***Senate Bill No. 2804** -- Debtor Creditor Relations - Allows judgment creditor to serve interrogatories limited to issues relative to recovery of assets on third party whom such creditor believes possesses property of judgment debtor. Amends TCA Title 29. by *Person. (HB2632 by *Buck)

***Senate Bill No. 2871** -- TennCare - Clarifies that TennCare subrogation interest is fully recoverable regardless of whether enrollee made whole or other creditors paid; abrogates common law principles of equity to extent necessary to ensure full state recovery from third parties; retroactive to 1/1/00. Amends TCA Title 71, Chapter 5, Part 1. by *Springer, P, *Haynes. (HB2970 by *Jackson)

Senate Bill No. 2889 -- Limitation of Actions - Adds nonsuit to reversal and arrest as to situations when plaintiff may commence new action under certain circumstances. Amends TCA Section 28-1-105. by *Person. (*HB2111 by *Buck)

Senate Bill No. 3197 -- Alcoholic Beverage Commission - Authorizes alcoholic beverage commission, after conducting rule-making hearing, to adopt rules expanding hours of sale for liquor by the drink if petitioned by licensees; factors to be considered are hours of sale in contiguous states and competition. Amends TCA Section 57-4-203. by *Ford J. (*HB3144 by *Jones U (Shelby))

Senate Bill No. 3312 -- Livingston - Subject to local approval, authorizes board of mayor and aldermen to require owner of record to clean up vegetation and debris from real property. Amends Chapter 130 of the Acts of 1907; as amended. by *Davis L. (HB3329 by *Windle)

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Bill No. 2532.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 1, withdrew Amendment No. 1 then repassed the bill on third and final consideration, as amended.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2917; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 670; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3048; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3014; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2684; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 691; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2332; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2140; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2318; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 789, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817 and 818; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

***Senate Joint Resolution No. 789** -- Memorials, Professional Achievement - Dr. Joel L. Cunningham, President, University of the South. by *McNally, *Kyle, *Cooper, *Williams.

Senate Joint Resolution No. 796 -- Memorials, Academic Achievement - Floyd Daniel Dunnivant, Valedictorian, Lebanon High School. by *Rochelle.

Senate Joint Resolution No. 797 -- Memorials, Academic Achievement - Andre de Araujo Jorge, Salutatorian, Lebanon High School. by *Rochelle.

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Senate Joint Resolution No. 798 -- Memorials, Academic Achievement - James Baxter Storie, Valedictorian, Mt. Juliet Christian Academy. by *Rochelle.

Senate Joint Resolution No. 799 -- Memorials, Academic Achievement - Margaret Paige (Callie) Pritchett, Salutatorian, Mt. Juliet Christian Academy. by *Rochelle.

Senate Joint Resolution No. 800 -- Memorials, Academic Achievement - Elisabeth Anne Heck, Valedictorian, Sevier High School. by *Clabough.

Senate Joint Resolution No. 801 -- Memorials, Academic Achievement - Jason Allen French, Valedictorian, William Blount High School. by *Clabough.

Senate Joint Resolution No. 802 -- Memorials, Academic Achievement - Adam S. Bohanan, Valedictorian, Gatlinburg-Pittman High School. by *Clabough.

Senate Joint Resolution No. 803 -- Memorials, Academic Achievement - Sarah Phillips, Valedictorian, William Blount High School. by *Clabough.

Senate Joint Resolution No. 804 -- Memorials, Academic Achievement - Melissa Singleton, Valedictorian, Seymour High School. by *Clabough.

Senate Joint Resolution No. 805 -- Memorials, Academic Achievement - Audrey Denise Barry, Valedictorian, Heritage High School. by *Clabough.

Senate Joint Resolution No. 806 -- Memorials, Academic Achievement - Nathan Lee, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 807 -- Memorials, Academic Achievement - William Bryan McCarter, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 808 -- Memorials, Academic Achievement - Pamela Parton, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 809 -- Memorials, Academic Achievement - Ben Mills, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 810 -- Memorials, Academic Achievement - Steven Ratcliff, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 811 -- Memorials, Academic Achievement - Rebecca Spurlock, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 812 -- Memorials, Academic Achievement - Hannah Maples, Valedictorian, Gatlinburg-Pittman High School. by *Clabough.

Senate Joint Resolution No. 813 -- Memorials, Academic Achievement - Emma Taylor, Salutatorian, Gatlinburg-Pittman High School. by *Clabough.

Senate Joint Resolution No. 814 -- Memorials, Public Service - John M. Wood. by *Burchett.

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Senate Joint Resolution No. 815 -- Memorials, Academic Achievement - Amy Holiway, Valedictorian, Sevier High School. by *Clabough.

Senate Joint Resolution No. 816 -- Memorials, Academic Achievement - Meredith Goode, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 817 -- Memorials, Death - Dr. J. V. Sailors. by *Womack, *Williams, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, J, *Wilder, *Womack.

Senate Joint Resolution No. 818 -- Memorials, Death - Senator Pete Springer. by *Crutchfield, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Wilder, *Williams, *Womack.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 713 -- Naming and Designating - "U.S. Space Observance," July 16-24; and "Space Exploration Day," July 20, 2000. by *Lewis, *Fraleigh, *Caldwell, *Ferguson.

House Calendar and Rules Committee

House Joint Resolution No. 715 -- Naming and Designating - Family Week in Tennessee, September 10-16, 2000. by *Windle.

House Calendar and Rules Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 15, 2000:

House Resolution No. 219 -- Memorials, Personal Achievement - Shana Long. by *Brooks.

House Resolution No. 220 -- Memorials, Retirement - Russel Smith, Tennessee Department of Education. by *Kent.

House Resolution No. 221 -- Memorials, Interns - Beth Goddard. by *Boyer.

House Resolution No. 222 -- Memorials, Interns - Maryam Abdallah. by *Brown.

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House Joint Resolution No. 714 -- Memorials, Retirement - Richard and Louise Knight. by *Windle.

House Joint Resolution No. 717 -- Memorials, Public Service - Mayor Vance W. Cheek, Jr., Distinguished Leadership Award, Community Leadership's 2000 Leadership Conference winner. by *Davis (Washington), *Patton.

House Joint Resolution No. 718 -- Memorials, Interns - Greg Caesar. by *Hargett, *Pleasant.

House Joint Resolution No. 719 -- Memorials, Retirement - Jimmy Hayslip. by *Hargett, *Pleasant.

House Joint Resolution No. 720 -- Memorials, Academic Achievement - Andrew Reagan Wagoner, Salutatorian, Donelson Christian Academy. by *West.

House Joint Resolution No. 721 -- Memorials, Academic Achievement - Christopher Lewis Cropsey, Valedictorian, Donelson Christian Academy. by *West.

House Joint Resolution No. 722 -- Memorials, Academic Achievement - Jill Alana Harris, Valedictorian, Donelson Christian Academy. by *West.

House Joint Resolution No. 723 -- Memorials, Public Service - Commander William R. Anderson, U.S. Navy (Ret). by *McDaniel.

House Joint Resolution No. 724 -- Memorials, Public Service - Margaret Lawless, Jackson Symphony Orchestra. by *McDaniel.

House Joint Resolution No. 725 -- Memorials, Death - Cecil Glen Ray. by *Pleasant, *Todd, *Hargett.

House Joint Resolution No. 726 -- Memorials, Recognition - Outbreak of Korean War, 50th anniversary. by *Davis (Washington), *Mumpower, *Godsey, *Westmoreland.

House Joint Resolution No. 727 -- Memorials, Professional Achievement - Herbert Lackey, TEA Distinguished Administrator Award recipient. by *Newton, *Bunch.

House Joint Resolution No. 728 -- Memorials, Personal Achievement - Andrew Carr, Eagle Award Ceremony. by *Goins.

House Joint Resolution No. 729 -- Memorials, Professional Achievement - Dr. Carl Hite, Shirley B. Gordon Award of Distinction recipient. by *Newton, *Bunch.

House Joint Resolution No. 730 -- Memorials, Recognition - Naser M. Ammash, M.D. by *Bone.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 15, 2000:

Senate Joint Resolution No. 775 -- Memorials, Professional Achievement - Sam Brown, 2000 Edward R. Murrow Regional Award for Investigatory Reporting. by *Burchett.

Senate Joint Resolution No. 776 -- Memorials, Academic Achievement - Wesley Taylor, Valedictorian, Watertown High School. by *Rochelle.

Senate Joint Resolution No. 777 -- Memorials, Academic Achievement - Joshua Kent Flory, Salutatorian, Watertown High School. by *Rochelle.

Senate Joint Resolution No. 778 -- Memorials, Academic Achievement - Lindsey Denise Nuchols, Salutatorian, Heritage High School. by *Clabough.

Senate Joint Resolution No. 779 -- Memorials, Academic Achievement - Brandon Smith, Salutatorian, Seymour High School. by *Clabough.

Senate Joint Resolution No. 780 -- Memorials, Academic Achievement - Ashley A. Groth, Valedictorian, Alcoa High School. by *Clabough.

Senate Joint Resolution No. 781 -- Memorials, Academic Achievement - April Michelle Sullivan, Salutatorian, Gatlinburg-Pittman High School. by *Clabough.

Senate Joint Resolution No. 782 -- Memorials, Academic Achievement - Jonathan Lannie Britton, Salutatorian, Alcoa High School. by *Clabough.

Senate Joint Resolution No. 783 -- Memorials, Academic Achievement - Kasi Gooch, Valedictorian, Seymour High School. by *Clabough.

Senate Joint Resolution No. 784 -- Memorials, Academic Achievement - Seok-Ho "John" Seo, Salutatorian, Kings Academy. by *Clabough.

Senate Joint Resolution No. 785 -- Memorials, Academic Achievement - Heather Sternshein, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 786 -- Memorials, Academic Achievement - Laurel Mosher, Valedictorian, Kings Academy. by *Clabough.

Senate Joint Resolution No. 787 -- Memorials, Academic Achievement - David Carl Hoffecker, Jr., Salutatorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 788 -- Memorials, Academic Achievement - Shalena Parker, USAA Math Award. by *Burks.

Senate Joint Resolution No. 790 -- Memorials, Death - Dr. Charles W. "Chuck" Johnson. by *Crowe, *Burchett, *Atchley, *Womack.

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Senate Joint Resolution No. 791 -- Memorials, Recognition - WSM, 75th anniversary. by *Haynes, *Rochelle, *Kyle, *Henry, *Harper, *Blackburn.

Senate Joint Resolution No. 792 -- Memorials, Personal Achievement - Taijuan "Tootie" Thomas. by *Herron.

Senate Joint Resolution No. 793 -- Memorials, Sports - Trimble Elementary School boys' basketball team, TNT Tournament champions. by *Herron.

Senate Joint Resolution No. 794 -- Memorials, Death - Harlan Mullins. by *Burks, *Davis L.

Senate Joint Resolution No. 795 -- Memorials, Academic Achievement - Gloria Mallory, Graduate, San Diego State University. by *Harper.

Senate Joint Resolution No. 796 -- Memorials, Academic Achievement - Floyd Daniel Dunnivant, Valedictorian, Lebanon High School. by *Rochelle.

Senate Joint Resolution No. 797 -- Memorials, Academic Achievement - Andre de Araujo Jorge, Salutatorian, Lebanon High School. by *Rochelle.

Senate Joint Resolution No. 798 -- Memorials, Academic Achievement - James Baxter Storie, Valedictorian, Mt. Juliet Christian Academy. by *Rochelle.

Senate Joint Resolution No. 799 -- Memorials, Academic Achievement - Margaret Paige (Callie) Pritchett, Salutatorian, Mt. Juliet Christian Academy. by *Rochelle.

Senate Joint Resolution No. 800 -- Memorials, Academic Achievement - Elisabeth Anne Heck, Valedictorian, Sevier High School. by *Clabough.

Senate Joint Resolution No. 801 -- Memorials, Academic Achievement - Jason Allen French, Valedictorian, William Blount High School. by *Clabough.

Senate Joint Resolution No. 802 -- Memorials, Academic Achievement - Adam S. Bohanan, Valedictorian, Gatlinburg-Pittman High School. by *Clabough.

Senate Joint Resolution No. 803 -- Memorials, Academic Achievement - Sarah Phillips, Valedictorian, William Blount High School. by *Clabough.

Senate Joint Resolution No. 804 -- Memorials, Academic Achievement - Melissa Singleton, Valedictorian, Seymour High School. by *Clabough.

Senate Joint Resolution No. 805 -- Memorials, Academic Achievement - Audrey Denise Barry, Valedictorian, Heritage High School. by *Clabough.

Senate Joint Resolution No. 806 -- Memorials, Academic Achievement - Nathan Lee, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 807 -- Memorials, Academic Achievement - William Bryan McCarter, Valedictorian, Sevier County High School. by *Clabough.

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Senate Joint Resolution No. 808 -- Memorials, Academic Achievement - Pamela Parton, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 809 -- Memorials, Academic Achievement - Ben Mills, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 810 -- Memorials, Academic Achievement - Steven Ratcliff, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 811 -- Memorials, Academic Achievement - Rebecca Spurlock, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 812 -- Memorials, Academic Achievement - Hannah Maples, Valedictorian, Gatlinburg-Pittman High School. by *Clabough.

Senate Joint Resolution No. 813 -- Memorials, Academic Achievement - Emma Taylor, Salutatorian, Gatlinburg-Pittman High School. by *Clabough.

Senate Joint Resolution No. 814 -- Memorials, Public Service - John M. Wood. by *Burchett.

Senate Joint Resolution No. 815 -- Memorials, Academic Achievement - Amy Holiway, Valedictorian, Sevier High School. by *Clabough.

Senate Joint Resolution No. 816 -- Memorials, Academic Achievement - Meredith Goode, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 817 -- Memorials, Death - Dr. J. V. Sailors. by *Womack, *Williams, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, J, *Wilder, *Womack.

Senate Joint Resolution No. 818 -- Memorials, Death - Senator Pete Springer. by *Crutchfield, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 819 -- Memorials, Public Service - Betty Richards. by *Haynes.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 536** -- Memorials, Congress - Urges provision of lifetime health care to military retirees of 65 years and older. by *Cooper, *Dixon, *Kyle, *Williams.

House Calendar and Rules Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3332 -- Dickson County - Subject to local approval, enacts "Dickson County Adequate Facilities Tax.". by *Jackson.

House Bill No. 3333 -- Rives - Subject to local approval, modifies election date for offices of mayor and alderman to coincide with the August general election date. Amends Chapter 129 of the Private Acts of 1981, as amended. by *Pinion.

House Bill No. 3335 -- Gainesboro - Subject to local approval, revises certain provisions of town charter. Amends Chapter 25 of the Acts of 1905; as amended. by *Winningham.

House Bill No. 3336 -- Montgomery County - Subject to local approval, increases hotel/motel tax from 3 to 5 percent; adds four additional members to tourist commission. Amends Chapter 167 of the Private Acts of 1979. by *McMillan.

House Bill No. 3337 -- Monroe County - Subject to local approval, revises authority for building permits fees Amends Chapter 82, of the Private Acts of 1965, as amended. by *McKee, *Gunnels.

House Bill No. 3338 -- Maury County - Subject to local approval, establishes animal control board and its functions, including appointment of manager of animal control. Amends Chapter 62 of the Private Acts of 1977. by *Sands.

House Bill No. 3339 -- Rutherford County - Subject to local approval, increases development tax from \$750 to \$1,500 per lot or unit. Amends Chapter 215 of the Private Acts of 1996; as amended. by *Hood, *Eckles, *Beavers.

House Bill No. 3340 -- Morristown - Subject to local approval, adds two at-large members to city council with four year, staggered terms; revises qualifications of office. Amends Chapter 103 of the Acts of 1903; as amended. by *Ford S.

House Bill No. 3341 -- Kingston - Subject to local approval, establishes method for filling vacancy in office of vice mayor. Amends Chapter 328 of the Acts of 1903; as amended. by *Ferguson.

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House Bill No. 3342 -- Kingston - Subject to local approval, removes requirement that voters approve the compensation of mayor and councilmen; specifies that compensation to be fixed by ordinance and effective upon final reading of ordinance. Amends Chapter 328 of the Acts of 1903; as amended. by *Ferguson.

House Bill No. 3343 -- Kingston - Subject to local approval, allows non-resident property owners to vote in city election if residents of Roane County. Amends Chapter 328 of the Acts of 1903; as amended. by *Ferguson.

House Bill No. 3344 -- Kingston - Subject to local approval, authorizes city officials to run for other city offices. Amends Chapter 328 of the Acts of 1903; as amended. by *Ferguson.

House Bill No. 3345 -- Kingston - Subject to local approval, revises charter provisions governing purchasing. Amends Chapter 328 of the Acts of 1903; as amended. by *Ferguson.

House Bill No. 3346 -- Kingston - Subject to local approval, authorizes city judge to impose civil penalty up to \$100. Amends Chapter 328 of the Acts of 1903; as amended. by *Ferguson.

House Bill No. 3347 -- Morristown - Subject to local approval, adds two at-large members to city council with four year, staggered terms; revises qualifications of office. Amends the charter of the City of Morristown relative to city council qualifications and elections, biennial elections and qualifications of electors and qualifications and duties of the mayor, and to amend Chapter 103 of the Acts of 1903 as amended by Chapter 502 of the Acts of 1907, Chapter 84 of the Private Acts of 1915, Chapter 640 of the Private Acts of 1917, Chapter 792 of the Private Acts of 1927, Chapter 581 of the Private Acts of 1929, Chapter 527 of the Private Acts of 1941, Chapter 266 of the Private Acts of 1945, Chapter 206 of the Private Acts of 1947, Chapter 112 of the Private Acts of 1963, Chapter 487 of the Private Acts of 1968, Chapter 269 of the Private Acts of 1978. by *Ford S.

House Bill No. 3348 -- Marshall County - Subject to local approval, enacts "Marshall County Adequate Facilities Tax.". by *Fowlkes, *Beavers.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3350, was/were referred to the Delayed Bills Committee.

House Bill No. 3350 -- Utilities, Utility Districts - Modifies procedures for filling vacancies on board of commissioners of first utility district Hardin County. Amends TCA Section 7-82-307. by *Rinks. (*SB3326 by *Wilder)

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 394** -- Highways, Roads and Bridges - Requires state, counties and municipalities to provide landowner with entire appraisal, including working documents, prior to filing a petition for condemnation for road purposes; requires state, counties and agents thereof to reveal entire appraisal, including working documents, when acquiring land by voluntary purchase for road purposes. Amends TCA Title 29, Chapter 17, Part 8 and Title 54. by *Herron. (HB840 by *Rinks)

***Senate Bill No. 484** -- Consumer Protection - Enacts "Structured Settlement Protection Act." Amends TCA Title 47, Chapter 18. by *Haynes. (HB1143 by *McMillan, *Sharp)

Senate Bill No. 711 -- Insurance Companies, Agents, Brokers, Policies - Increases from three to five number of actuaries which may be employed by commissioner of commerce and insurance. Amends TCA Title 56. by *Herron. (*HB145 by *Odom)

Senate Bill No. 1269 -- Surveyors - Requires professional land surveyor to make reasonable efforts to notify adjoining landowners that survey will be performed instead of only notifying adjoining landowners upon whose land it is necessary to enter. Amends TCA Section 62-18-124. by *Springer, P, *Cooper. (*HB780 by *McDaniel)

***Senate Bill No. 2036** -- Sunset Laws - Council on pensions and insurance, June 30, 2008. Amends TCA Title 3, Chapter 9, and Title 4, Chapter 29. by *Springer, P, *Burchett, *Harper. (HB2087 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 2090** -- Sunset Laws - OSHA labor advisory council, June 30, 2004. Amends TCA Title 4, Chapter 29, and Title 50, Chapter 3. by *Springer, P, *Burchett, *Harper. (HB2436 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 2091** -- Sunset Laws - Department of labor and workforce development, June 30, 2004. Amends TCA Title 4, Chapter 29; Title 4, Chapter 3 and Title 50. by *Springer, P, *Dixon, *Burchett, *Harper. (HB2435 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 2096** -- Sunset Laws - Department of health, June 30, 2004. Amends TCA Title 4, Chapters 3 and 29. by *Springer, P, *Burchett, *Harper. (HB2427 by *Kernell, *Garrett, *Brooks)

***Senate Bill No. 2123** -- Local Government, General - Standardizes authorized investments of idle funds irrespective of form of government. Amends TCA Section 5-8-301; Section 6-56-106 and Title 9, Chapter 21. by *Cooper. (HB2330 by *Kisber)

***Senate Bill No. 2140** -- Taxes, Litigation - Allows counties by a 2/3 vote to impose an additional litigation tax, up to \$10.00, for jail or workhouse construction or improvements. Amends TCA Title 67, Chapter 4, Part 6. by *Davis L. (HB2364 by *Curtiss, *Ferguson)

Senate Bill No. 2222 -- Civil Procedure - Makes permissive, rather than mandatory, tape recording of forfeiture proceeding. Amends TCA Title 40, Chapter 33, Part 2. by *Miller J. (*HB2026 by *Bunch, *Newton)

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***Senate Bill No. 2260** -- Sunset Laws - Occupational safety and health review commission, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 3. by *Springer, P, *Burchett, *Harper. (HB2444 by *Kernell, *Garrett, *Brooks)

Senate Bill No. 2402 -- Traffic Safety - Requires log trucks to display revolving yellow lamp or reflective triangle emblem on rearmost extremity of vehicle or load; creates Class A misdemeanor offense for violation. Amends TCA Title 55. by *Miller J. (*HB2248 by *Bunch)

***Senate Bill No. 2425** -- Education - Establishes standard by which school pupil subject to mandatory attendance is found to be "habitual truant" or "truant"; authorizes law enforcement officer and school attendance officer to pick up and deliver truant to parent, guardian, school principal or truancy center; provides such officers with civil immunity for such actions unless found to be outside scope of employment or performed with gross negligence or willful misconduct. Amends TCA Title 49, Chapter 6. by *Dixon, *Kyle, *Burks. (HB3149 by *Jones U (Shelby), *DeBerry J, *Miller L, *Turner (Shelby), *Bowers, *DeBerry L)

***Senate Bill No. 2472** -- Motor Vehicles, Titling and Registration - Authorizes department of safety to administratively issue collegiate plates for two-year and four-year colleges and universities located within the several states and District of Columbia; removes requirement that two-year college must be in-state to qualify for issuance Amends TCA Title 55, Chapter 4. by *Haun. (HB3107 by *Fowlkes)

Senate Bill No. 2491 -- Motor Vehicles, Titling and Registration - Authorizes issuance of new specialty earmarked license plates for National Rifle Association Amends TCA Title 55, Chapter 4. by *Haynes, *Kurita. (*HB2048 by *West, *Sharp)

Senate Bill No. 2570 -- TennCare - Changes requirement that comptroller do actuarial review of TennCare program from at least every two years to annual review. Amends TCA Section 71-5-188. by *Cooper. (*HB2366 by *Eckles)

***Senate Bill No. 2738** -- Financial Disclosure - Deletes maximum aggregate contribution limit of 50 percent of total contributions for offices elected by statewide elections and \$75,000 in aggregate for any other state or local public office which candidates may accept from multicandidate political campaign committees for each election. Amends TCA Title 2, Chapter 10. by *Rochelle. (HB3067 by *Kisber)

***Senate Bill No. 2741** -- Hospitals and Health Care Facilities - Revises certificate of need requirements for certain mobile magnetic resonance imagers Amends TCA Section 68-11-106. by *Rochelle. (HB2788 by *Bone)

***Senate Bill No. 2804** -- Debtor Creditor Relations - Allows judgment creditor to serve interrogatories limited to issues relative to recovery of assets on third party whom such creditor believes possesses property of judgment debtor. Amends TCA Title 29. by *Person. (HB2632 by *Buck)

***Senate Bill No. 2871** -- TennCare - Clarifies that TennCare subrogation interest is fully recoverable regardless of whether enrollee made whole or other creditors paid; abrogates common law principles of equity to extent necessary to ensure full state recovery from third parties; retroactive to 1/1/00. Amends TCA Title 71, Chapter 5, Part 1. by *Springer, P, *Haynes. (HB2970 by *Jackson)

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Senate Bill No. 2889 -- Limitation of Actions - Adds nonsuit to reversal and arrest as to situations when plaintiff may commence new action under certain circumstances. Amends TCA Section 28-1-105. by *Person. (*HB2111 by *Buck)

Senate Bill No. 3055 -- Aged Persons - Requires clear and convincing evidence that acts were intentional, fraudulent, malicious, or reckless in order to impose punitive damages in civil action for abuse or neglect, sexual abuse or exploitation. Amends TCA Section 71-6-120. by *Cohen. (*HB2955 by *Scroggs)

***Senate Bill No. 3057** -- Taxes, Real Property - Revises provisions on property tax exemptions for community and performing arts organizations. Amends TCA Section 67-5-223. by *Cohen. (HB3162 by *DeBerry J)

Senate Bill No. 3197 -- Alcoholic Beverage Commission - Authorizes alcoholic beverage commission, after conducting rule-making hearing, to adopt rules expanding hours of sale for liquor by the drink if petitioned by licensees; factors to be considered are hours of sale in contiguous states and competition. Amends TCA Section 57-4-203. by *Ford J. (*HB3144 by *Jones U (Shelby))

Senate Bill No. 3312 -- Livingston - Subject to local approval, authorizes board of mayor and aldermen to require owner of record to clean up vegetation and debris from real property. Amends Chapter 130 of the Acts of 1907; as amended. by *Davis L. (HB3329 by *Windle)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3307 -- Courts, New Jurisdiction -- Previously referred to the House Judiciary Committee

House Bill No. 3329 -- Livingston -- Local Bill Held on House Desk

House Bill No. 3330 -- Henderson County -- Local Bill Held on House Desk

House Bill No. 3331 -- Maury County -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 9, 2000**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 11, 2000**: House Bill(s) No(s). 2117, 2342, 2834, 715, 717, 718, 2297, 558, 2950, 3009, 2168, 3019, 3039 and 3049.

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The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 15, 2000**: House Bill(s) No(s) 2957, House Joint Resolution(s) No(s) 595 and 493.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2315, 964, 2112, 2841, 3051, also House Bill(s) No(s). 3002, 3165, 3109, 2377, 2800, 3066 and House Joint Resolution(s) No(s). 392 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2421, 351 and 2081 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2431 and 357 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 2835, 2595 and 2755 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2757, 2230 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3307. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 10, 2000**, reported the following:

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 417 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 11, 2000**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for May 15, 2000**: House Bill(s) No(s). 3080, 3071, 2835, 3290, 2632, 2113, 2112, 2439, 2248, 1143, 1559, 3051, 2449, 2688, 2480, 2481 and Senate Bill(s) No(s). 2876.

The Committee also set the following bill(s) on the **Regular Calendar for May 18, 2000**: House Bill(s) No(s). 2111 and 2315.

It further reports that it set the following bill(s) and/or resolution(s) on the **Consent Calendar for May 15, 2000**: House Bill(s) No(s). 2427 and Senate Joint Resolution(s) No(s). 616.

CONSENT CALENDAR

House Resolution No. 215 -- Memorials, Professional Achievement - Gail Martin, All Tennessee School Board Member. by *Caldwell.

House Resolution No. 216 -- Memorials, Retirement - Martha Gail Fox. by *Boyer.

House Resolution No. 217 -- Memorials, Public Service - Pleasant View Volunteer Fire Department. by *Davidson.

House Resolution No. 218 -- Memorials, Interns - Alyson Brook Grimes. by *McMillan.

House Joint Resolution No. 692 -- Memorials, Academic Achievement - Robert Adam Veillion, Salutatorian, Forge Ridge High School. by *Goins.

House Joint Resolution No. 693 -- Memorials, Academic Achievement - Brandon Jerry Lambert, Valedictorian, Powell Valley High School. by *Goins.

House Joint Resolution No. 694 -- Memorials, Academic Achievement - Randall Jay Drummonds, Salutatorian, Powell Valley High School. by *Goins.

House Joint Resolution No. 695 -- Memorials, Retirement - Michael Lee Adcock. by *Bone.

House Joint Resolution No. 696 -- Memorials, Academic Achievement - Robert Gregory York, Valedictorian, Jellico High School. by *Baird.

House Joint Resolution No. 697 -- Memorials, Academic Achievement - Alisa Renee Parrott, Salutatorian, Jellico High School. by *Baird.

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House Joint Resolution No. 698 -- Memorials, Academic Achievement - Victoria Angelique Davis, Salutatorian, Jellico High School. by *Baird.

House Joint Resolution No. 699 -- Memorials, Academic Achievement - Carter County High School Scholars' Bowl team, second place WSJK Scholars Bowl tournament. by *Boyer.

House Joint Resolution No. 700 -- Memorials, Recognition - Milan High School Band. by *Pinion, *Phelan.

House Joint Resolution No. 701 -- Memorials, Sports - Kelli Shoopman, Clinton High School soccer player. by *Caldwell.

House Joint Resolution No. 702 -- Memorials, Professional Achievement - Helen Long, Clarksville - Montgomery County School System Distinguished Teacher of the Year. by *McMillan, *Head.

House Joint Resolution No. 703 -- Memorials, Retirement - Brenda Stone, Clarksville Academy. by *McMillan, *Head.

House Joint Resolution No. 704 -- Memorials, Death - Jewell Catherine Hendley Medley. by *Hargrove.

House Joint Resolution No. 705 -- Memorials, Academic Achievement - Jessica Welch, Salutatorian, Powell Valley High School. by *Goins.

House Joint Resolution No. 706 -- Memorials, Academic Achievement - Gary W. Brown, Valedictorian, Forge Ridge High School. by *Goins.

House Joint Resolution No. 708 -- Memorials, Academic Achievement - David Cox, Valedictorian, Riverdale High School. by *Beavers, *Eckles, *Hood.

House Joint Resolution No. 709 -- Memorials, Academic Achievement - Benjamin Brent Ogles, Valedictorian, Riverdale High School. by *Beavers, *Eckles, *Hood.

House Joint Resolution No. 710 -- Memorials, Academic Achievement - Susan Lavendar, Salutatorian, Middle Tennessee Christian High School. by *Beavers, *Eckles, *Hood.

House Joint Resolution No. 711 -- Memorials, Retirement - Jane Poole. by *Hood, *Eckles, *Beavers.

House Joint Resolution No. 712 -- Memorials, Academic Achievement - Deborah Carroll Odom, Valedictorian, Middle Tennessee Christian School. by *Beavers, *Eckles, *Hood.

Senate Joint Resolution No. 751 -- Memorials, Retirement - Haywood Harris. by *Burchett.

Senate Joint Resolution No. 752 -- Memorials, Heroism - General Jim Cowan, Legion of Merit Medal recipient. by *Springer, P, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, J, *Springer, P, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 756 -- Memorials, Academic Achievement - Sara Katrina McWhorter, Valedictorian, MAHEA. by *Kyle, *Leatherwood.

Senate Joint Resolution No. 757 -- Memorials, Academic Achievement - Crystal Allison Thigpen, 2000 Valedictorian, Trezevant High School. by *Kyle, *Leatherwood.

Senate Joint Resolution No. 758 -- Memorials, Death - Neal Lee Jennings, Sr. by *Rochelle.

Senate Joint Resolution No. 759 -- Memorials, Academic Achievement - Emily Chandler, Valedictorian, Ezell-Harding Christian High School. by *Rochelle.

Senate Joint Resolution No. 760 -- Memorials, Academic Achievement - Chelsey Bason, Salutatorian, Ezell-Harding Christian School. by *Rochelle.

Senate Joint Resolution No. 761 -- Memorials, Academic Achievement - Brandon Douglas Akers, Salutatorian, Monterey High School. by *Burks.

Senate Joint Resolution No. 762 -- Memorials, Academic Achievement - Daniel Mitchell Buckner, Valedictorian, Monterey High School. by *Burks.

Senate Joint Resolution No. 763 -- Memorials, Sports - 1999-2000 White Station High School boys' basketball team, TSSAA Class AAA state champions. by *Cohen, *Leatherwood.

Senate Joint Resolution No. 764 -- Memorials, Academic Achievement - Bianca White, Valedictorian, Westside High School. by *Kyle, *Leatherwood.

Senate Joint Resolution No. 765 -- Memorials, Academic Achievement - Charmene Luellen, Salutatorian, Westside High School. by *Kyle, *Leatherwood.

Senate Joint Resolution No. 768 -- Memorials, Sports - Ridgeway High School boys' basketball team, TSSAA Class AA state champions. by *Cohen, *Leatherwood.

Senate Joint Resolution No. 769 -- Memorials, Sports - Chris Woodruff, Knoxville tennis professional. by *Burchett.

Senate Joint Resolution No. 770 -- Memorials, Death - Samuel M. Fleming. by *Henry, *Blackburn.

Senate Joint Resolution No. 771 -- Memorials, Academic Achievement - Cristen Camille Young, Valedictorian, Frayser High School. by *Kyle, *Leatherwood.

Senate Joint Resolution No. 772 -- Memorials, Academic Achievement - Kimberly Monique Jones, Salutatorian, Frayser High School. by *Kyle, *Leatherwood.

Senate Joint Resolution No. 774 -- Memorials, Recognition - Tiffany Frazier. by *Davis L.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 3144** -- Alcoholic Beverage Commission - Authorizes alcoholic beverage commission, after conducting rule-making hearing, to adopt rules expanding hours of sale for liquor by the drink if petitioned by licensees; factors to be considered are hours of sale in contiguous states and competition. Amends TCA Section 57-4-203. by *Jones U (Shelby). (SB3197 by *Ford J)

On motion, House Bill No. 3144 was made to conform with **Senate Bill No. 3197**; the Senate Bill was substituted for the House Bill.

Rep. U. Jones moved that Senate Bill No. 3197 be passed on third and final consideration.

Rep. U. Jones requested that Senate Bill No. 3197 be moved down 5 places on the Calendar.

House Bill No. 3062 -- DUI/DWI Offenses - Directs that prior conviction appearing on official driver record maintained by department of safety be considered prima facie evidence that such conviction occurred for purposes of prosecuting second or subsequent DUI offenses. Amends TCA Title 55, Chapter 10, Part 4. by *Jackson, *Briley, *Scroggs, *Newton. (*SB2320 by *Rochelle, *Graves, *Davis L, *Haun, *McNally, *Williams, *Kurita)

House Bill No. 2970 -- TennCare - Clarifies that TennCare subrogation interest is fully recoverable regardless of whether enrollee made whole or other creditors paid; abrogates common law principles of equity to extent necessary to ensure full state recovery from third parties; retroactive to 1/1/00. Amends TCA Title 71, Chapter 5, Part 1. by *Jackson. (*SB2871 by *Springer, P, *Haynes)

On motion, House Bill(s) No(s). 3062 and 2970 were reset for the Regular Calendar on May 15, 2000, which motion prevailed.

***House Bill No. 2955** -- Aged Persons - Requires clear and convincing evidence that acts were intentional, fraudulent, malicious, or reckless in order to impose punitive damages in civil action for abuse or neglect, sexual abuse or exploitation. Amends TCA Section 71-6-120. by *Scroggs. (SB3055 by *Cohen)

On motion, House Bill No. 2955 was made to conform with **Senate Bill No. 3055**; the Senate Bill was substituted for the House Bill.

Rep. Scroggs moved that Senate Bill No. 3055 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Scroggs moved that **Senate Bill No. 3055** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2503 -- Garnishments and Executions - Requires clerk to issue multiple garnishments and executions upon request of plaintiff Amends TCA Section 26-1-207. by *Bunch. (*SB2780 by *Fowler)

Rep. Bunch moved that House Bill No. 2503 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2503 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Notwithstanding any other provision of law or rule to the contrary, a writ of garnishment that is filed later in time than another such writ, and which deducts the maximum amount allowable by law from the debtor's wages, shall not run concurrently with the earlier filed writ with regard to the six (6) month time limit prescribed in §26-2-214. Such later writ of garnishment shall not begin to run until the earlier writ's judgment has been satisfied or such earlier writ has expired.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Bunch moved that **House Bill No. 2503**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2187 -- Criminal Offenses - Creates offense of selling or furnishing violent interactive video games to minors. Amends TCA Title 39, Chapter 17 and Title 40. by *Bunch. (*SB2213 by *Miller J, *Williams)

On motion, House Bill No. 2187 was made to conform with **Senate Bill No. 2213**; the Senate Bill was substituted for the House Bill.

Rep. Bunch moved that Senate Bill No. 2213 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Newton moved the previous question, which motion prevailed.

Rep. Bunch moved that **Senate Bill No. 2213** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	71
Noes	12
Present and not voting	4

Representatives voting aye were: Baird, Beavers, Bittle, Black, Bone, Boyer, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Curtiss, Davidson, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kerr, Kisber, Langster, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Newton, Odom, Patton, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Williams, Windle, Wood, Mr. Speaker Naifeh -- 71.

Representatives voting no were: Armstrong, Arriola, Briley, Davis (Washington), DeBerry J., Kernell, McCord, Montgomery, Mumpower, Phelan, Roach, Westmoreland -- 12.

Representatives present and not voting were: Brooks, Cole (Dyer), Cooper, Jones U. -- 4.

A motion to reconsider was tabled.

Senate Bill No. 3197 -- Alcoholic Beverage Commission - Authorizes alcoholic beverage commission, after conducting rule-making hearing, to adopt rules expanding hours of sale for liquor by the drink if petitioned by licensees; factors to be considered are hours of sale in contiguous states and competition. Amends TCA Section 57-4-203. by *Ford J. (*HB3144 by *Jones U (Shelby))

Further consideration of Senate Bill No. 3197 previously considered on today's Calendar.

Rep. U. Jones requested that Senate Bill No. 3197 be moved to the heel of the Calendar.

***House Bill No. 2160** -- Criminal Procedure - Allows recipient or beneficiary of restitution order to convert order of restitution into civil judgment against criminal offender if offender has not paid amount of such restitution in full prior to expiration of restitution schedule ordered by court exercising criminal jurisdiction. Amends TCA Section 40-35-304. by *Bunch. (SB2234 by *Miller J)

Rep. Bunch moved that House Bill No. 2160 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2160 by deleting subsection () (3) of the amendatory language of SECTION 1 and substituting instead the following:

(3) At the same time the victim or victim's beneficiary files a certified copy of the restitution order with the civil court, such victim or victim's beneficiary shall have the defendant personally served in accordance with the Tennessee rules of civil procedure. Such service shall give notice to the defendant of the victim's or victim's beneficiary's intent to convert the restitution order to a civil judgment, include a copy of the restitution order and a statement as to the amount of unpaid restitution the victim or victim's beneficiary alleges the defendant still owes.

(4) Upon being served, the defendant shall be permitted to file an answer in accordance with the rules of civil procedure.

(5) Upon service of the defendant and receipt of the defendant's answer, if any, the civil court shall conduct a hearing in order to take proof as to the amount of ordered restitution actually paid. Both the victim or victim's beneficiary and the defendant shall be permitted to offer proof at this hearing. If the court finds by a preponderance of the evidence presented that the amount of restitution actually paid is less than the total amount of restitution ordered pursuant to subsections (c) or (g), then the court shall enter a judgment in favor of the victim or the victim's beneficiary and against the defendant for the amount of the unpaid balance of such restitution.

(6) At the hearing conducted in accordance with subpart (5) of this subsection, the only issues over which the court shall have jurisdiction is whether the defendant was properly served in accordance with the rules of civil procedure, whether the restitution order entered against the defendant pursuant to this section has been satisfied by the defendant and, if not, the amount of restitution still owed by the defendant.

FURTHER by renumbering present subsection () (4) of the amendatory language of SECTION 1 to be subsection () (7).

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Bunch moved that **House Bill No. 2160**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2672 -- Criminal Procedure - Authorizes court of record to order that reports of county medical examiners, toxicological reports and autopsy reports not be subject to disclosure upon petition by district attorney general that disclosure may seriously impede or impair investigation of homicide or felony; permits certain portions to be disclosed. Amends TCA Section 38-7-110. by *Turner (Hamilton). (*SB2410 by *Crutchfield)

On motion, House Bill No. 2672 was made to conform with **Senate Bill No. 2410**; the Senate Bill was substituted for the House Bill.

Rep. Turner (Hamilton) moved that Senate Bill No. 2410 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Turner (Hamilton) moved that **Senate Bill No. 2410** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

THURSDAY, MAY 11, 2000 – SEVENTY-SIXTH LEGISLATIVE DAY

***House Bill No. 2387** -- Highway Signs - Prohibits stacking of two or more billboard displays, or more than one horizontal display in excess of square footage limitations of present law, after 7/1/00. Amends TCA Title 54, Chapter 21. by *Eckles, *McAfee. (SB2479 by *Haynes)

Further consideration of House Bill No. 2387 previously considered on April 6, 2000, April 10, 2000 and May 4, 2000, at which time it was reset for today's Calendar.

Rep. McCord moved that House Bill No. 2387 be reset for the Regular Calendar on May 18, 2000, which motion prevailed.

***House Bill No. 3220** -- Insurance, Health, Accident - Prohibits certain entities and employers from marketing, selling or giving away certain information regarding employees, enrollees or insureds; Class C misdemeanor; civil penalties and attorney fees provided Amends TCA Title 50 and Title 56. by *Caldwell. (SB3219 by *McNally, *Kurita)

Further consideration of House Bill No. 3220 previously considered on April 12, 2000 and May 4, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 3220 was made to conform with **Senate Bill No. 3219**; the Senate Bill was substituted for the House Bill.

Rep. Caldwell moved that Senate Bill No. 3219 be passed on third and final consideration.

On motion, Rep. West withdrew Consumer and Employee Affairs Committee Amendment No. 1.

Rep. Caldwell moved that **Senate Bill No. 3219** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94
Noes 0

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 2594 -- Election Laws - Enacts "Fair Ballot Access Act of 2000"; requires independent candidate, upon request, to be listed on ballot under name of political party affiliation which is other than state-wide political party whose name does not resemble state-wide party upon certification that candidate was nominated by assembly of that party at least 30 days prior to election. Amends TCA Section 2-5-208. by *Kerr, *Rinks. (*SB2149 by *Burchett, *Cohen)

Further consideration of House Bill No. 2594 previously considered on May 1, 2000 and May 4, 2000, at which time it was reset for today's Calendar.

Rep. Kerr moved that House Bill No. 2594 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2594 By deleting the second and third sentences in their entirety from the amendatory language of Section 2, and by substituting instead the following language:

In such column for independent candidates, for the November 2000 general election, if the presidential candidate of a party which is not a statewide party received more than five thousand (5,000) votes in Tennessee in the November 1996 presidential election, then in addition to listing the name of a candidate who was nominated by such candidate's political party, the candidate may elect to have the candidate's party name included in the space allocated on the ballot for the candidate along with the name of such candidate. After the November 2000 general election, in order for these provisions to apply, the presidential candidate of a party which is not a statewide party must receive at least five percent (5%) of the votes cast in Tennessee in the last presidential election preceding the election in which the candidate seeks to have such candidate's party name included in such space on the ballot.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Kerr moved that **House Bill No. 2594**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

House Bill No. 2578 -- Employees, Employers - Requires employers with more than five employees providing goods or services to local or state government to have drug-free workplace. Amends TCA Title 50. by *Briley. (*SB2932 by *Womack)

Further consideration of House Bill No. 2578 previously considered on April 4, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 2578 was made to conform with **Senate Bill No. 2932**; the Senate Bill was substituted for the House Bill.

Rep. Briley moved that Senate Bill No. 2932 be passed on third and final consideration.

BILL RE-REFERRED

Rep. Head moved that Senate Bill No. 2932 be re-referred to the House Finance, Ways and Means Committee, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1967** -- Highways, Roads and Bridges - Establishes Mississippi Parkway Commission of Tennessee. Amends TCA Section 4-29-222 and Title 11. by *Fitzhugh. (SB1998 by *Leatherwood)

Further consideration of House Bill No. 1967 previously considered on May 4, 2000, at which time it was reset for today's Calendar.

Rep. Fitzhugh moved that House Bill No. 1967 be reset for the Regular Calendar on May 15, 2000, which motion prevailed.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

House Bill No. 2253 -- Courts, General Sessions - Provides that attorney fees, court costs and discretionary costs are not to be included in determining whether general sessions court judgment exceeds court's monetary jurisdictional limits Amends TCA Title 16, Chapter 15, Part 5. by *Bunch. (*SB2250 by *Fowler)

Further consideration of House Bill No. 2253 previously considered on May 8, 2000, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 2253 was made to conform with **Senate Bill No. 2250**; the Senate Bill was substituted for the House Bill.

Rep. Bunch moved that **Senate Bill No. 2250** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 90
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

House Bill No. 3149 -- Education - Establishes standard by which school pupil subject to mandatory attendance is found to be "habitual truant" or "truant"; authorizes law enforcement officer and school attendance officer to pick up and deliver truant to parent, guardian, school principal or truancy center; provides such officers with civil immunity for such actions unless found to be outside scope of employment or performed with gross negligence or willful misconduct. Amends TCA Title 49, Chapter 6. by *Jones U (Shelby), *DeBerry J, *Miller L, *Turner (Shelby), *Bowers, *DeBerry L. (*SB2425 by *Dixon, *Kyle, *Barks)

Further consideration of House Bill No. 3149 previously considered on May 8, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 3149 was made to conform with **Senate Bill No. 2425**; the Senate Bill was substituted for the House Bill.

Rep. U. Jones moved that Senate Bill No. 2425 be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. Bunch moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2425 by deleting amendatory subdivision (h)(3) of Section 1, as amended, and by substituting the following:

(3) Under the provisions of such an agreement, a student who has been absent an aggregate three (3) days without adequate excuse, may be deemed habitually truant.

AND FURTHER AMEND by adding the following new section to be appropriately designated prior to the effective date section:

SECTION _____. The superintendent or director of schools in any local education agency, or a person designated to do so by such superintendent or director, may petition the court having juvenile jurisdiction in that area to declare a student who has been absent an aggregate three (3) days without adequate excuse to be habitually truant.

On motion, Senate Bill No. 2425 was moved down 3 places on the Calendar.

***House Bill No. 2117** -- Firearms and Ammunition - Expands circumstances under which law enforcement officer may carry weapons. Amends TCA Title 39, Chapter 17, Part 13. by *Buck, *Hargett, *Godsey, *Windle, *Todd, *Pleasant, *Sharp. (SB2587 by *Burks)

Rep. Buck moved that House Bill No. 2117 be reset for the Regular Calendar on May 15, 2000, which motion prevailed.

***House Bill No. 2342** -- Highway Signs - "Robert S. 'Rob' Stallings Bridge," U.S. 64, Bolivar. by *Walley, *Naifeh. (SB2915 by *Wilder)

On motion, House Bill No. 2342 was made to conform with **Senate Bill No. 2915**; the Senate Bill was substituted for the House Bill.

Rep. Walley moved that Senate Bill No. 2915 be passed on third and final consideration.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2915 By renumbering Sections 4 and 5 as Sections 6 and 7, respectively, and by inserting the following language as new Sections 4 and 5:

SECTION 4. The department of transportation shall not erect the signs provided for by this act until the local government having jurisdiction over the location of the signs pays to the department a fee equal to the amount necessary to defray the expense of the signs, as determined by the department.

SECTION 5. If the signs provided for hereunder are to be located on a road other than a road designated as an interstate highway, the local government having jurisdiction over the location of the signs may, in lieu of paying the fee required by Section 4, supply to the department of transportation the signs provided for in this act. Any signs supplied by local government must be manufactured in accordance with standards established by the department of transportation, including, but not limited to, the Manual on Uniform Traffic Control Devices.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Walley moved that **Senate Bill No. 2915**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2834 -- Hospitals and Health Care Facilities - Places certain limitations on new certificates of need for new nursing home beds, nursing home expansions and Medicare SNF beds during fiscal year 7/1/2000-6/30/2001. Amends TCA Section 68-11-108 and Section 68-11-122. by *Walley. (*SB2310 by *Cooper)

Rep. Walley moved that House Bill No. 2834 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2834 By deleting the following language from Section 1 of the printed bill:

Notwithstanding any other provisions of this subsection, this subsection shall only apply to applications for new nursing home beds from the one hundred twenty-five (125) bed Medicare skilled nursing facility bed pool authorized in § 68-11-122.

And by substituting instead the following language:

Notwithstanding any other provision of this subsection, when considering applications for new nursing home beds from the one hundred twenty-five (125) bed Medicare skilled nursing facility bed pool authorized in § 68-11-122, the commission shall apply the criteria in this subsection.

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Walley moved that **House Bill No. 2834**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Buck -- 1.

A motion to reconsider was tabled.

***Senate Bill No. 2425** -- Education - Establishes standard by which school pupil subject to mandatory attendance is found to be "habitual truant" or "truant"; authorizes law enforcement officer and school attendance officer to pick up and deliver truant to parent, guardian, school principal or truancy center; provides such officers with civil immunity for such actions unless found to be outside scope of employment or performed with gross negligence or willful misconduct. Amends TCA Title 49, Chapter 6. by *Dixon, *Kyle, *Burks. (HB3149 by *Jones U (Shelby), *DeBerry J, *Miller L, *Turner (Shelby), *Bowers, *DeBerry L)

Further consideration of Senate Bill No. 2425 previously considered on today's Calendar at which time the House withdrew Amendment(s) No(s). 1 and was on the motion to adopt Amendment(s) No(s). 2.

Rep. U. Jones moved that Senate Bill No. 2425 be passed on third and final consideration.

Rep. Bunch moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Davidson moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 2425 by adding the following new section:

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

Rep. Westmoreland moved to re-refer Senate Bill No. 2425 to the House Judiciary Committee.

Rep. U. Jones moved to table the motion to re-refer Senate Bill No. 2425 to the House Judiciary Committee, which motion prevailed.

Rep. Davis (Cocke) moved the previous question, which motion prevailed by the following vote:

Ayes.....	57
Noes	23
Present and not voting	3

Representatives voting aye were: Armstrong, Bittle, Black, Bone, Boyer, Bunch, Buttry, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), Fitzhugh, Ford, Fraley, Godsey, Goins, Gunnels, Hagood, Harwell, Hassell, Head, Hood, Jones S., Kent, Langster, McAfee, McDonald, McKee, Mumpower, Odom, Patton, Phelan, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Whitson, Williams, Windle, Wood, Mr. Speaker Naifeh -- 57.

Representatives voting no were: Arriola, Baird, Beavers, Briley, Brooks, Brown, Buck, Caldwell, Chumney, DeBerry J., Dunn, Ferguson, Fowlkes, Garrett, Hargett, Kerr, Lewis, Maddox, McCord, Miller, Montgomery, Westmoreland, White -- 23.

Representatives present and not voting were: Givens, Kernell, Newton -- 3.

Rep. U. Jones moved that **Senate Bill No. 2425**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	64
Noes	15
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Boyer, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Godsey, Goins, Gunnels, Hassell, Jones S., Jones U., Kent, Kernell, Langster, McAfee, McDaniel, McKee, Montgomery, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, White, Whitson, Williams, Windle, Wood, Mr. Speaker Naifeh -- 64.

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Representatives voting no were: Beavers, Brooks, DeBerry J., Dunn, Hagood, Hargett, Harwell, Head, Hood, Kerr, Maddox, McDonald, McMillan, Turner (Shelby), Westmoreland -- 15.

Representatives present and not voting were: Givens, Kisber, McCord, Miller, Newton -- 5.

A motion to reconsider was tabled.

House Bill No. 715 -- Firearms and Ammunition - Clarifies that prohibition relative to carrying weapons on public parks and playgrounds does not apply to firearms carried pursuant to concealed carry permit. Amends TCA Section 39-17-1311. by *West, *Sharp, *Beavers. (*SB375 by *Williams)

***House Bill No. 717** -- Firearms and Ammunition - Specifies notice to be given prohibiting weapons from being carried on certain premises. Amends TCA Section 39-17-1359. by *West, *Sharp, *Beavers, *Pleasant. (SB908 by *Rochelle)

***House Bill No. 718** -- Firearms and Ammunition - Exempts certain persons from prohibitions on carrying firearm on school property or where alcoholic beverages sold; clarifies that person carrying weapon pursuant to concealed carry permit not subject to provisions prohibiting carrying weapons for purpose of going armed. Amends TCA Title 39, Chapter 17, Part 13. by *West, *Sharp, *Beavers, *Pleasant. (SB1645 by *Cooper)

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

Rep. West moved that House Bill(s) No(s). 715, 717 and 718 be reset for the Regular Calendar on May 18, 2000, which motion prevailed.

***House Bill No. 2297** -- Children - Allows court to order grandparent visitation of minor grandchildren under certain circumstances. Amends TCA Section 36-6-306 and Section 36-6-307. by *Patton, *Bunch, *Maddox, *Whitson, *Chumney, *Scroggs, *Black, *Beavers, *Davis (Washington), *Tidwell, *Ford S, *Givens, *Kent, *Todd, *Westmoreland, *Pinion, *Montgomery, *White, *Winningham, *Kernell, *Turner (Hamilton), *Mumpower, *Godsey. (SB3275 by *Haynes)

Rep. Patton moved that House Bill No. 2297 be reset for the Regular Calendar on May 15, 2000, which motion prevailed.

House Bill No. 558 -- Forest and Forest Products - Prohibits clear cutting in Standing Stone State Park. Amends TCA Title 11. by *Windle. (*SB608 by *Davis L)

Rep. Windle moved that House Bill No. 558 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 558 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION 2. This act does not affect clear-cutting in state forest and state wildlife management areas.

On motion, Conservation and Environment Committee Amendment No. 1 was adopted.

Rep. Windle moved that **House Bill No. 558**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Boyer -- 1.

A motion to reconsider was tabled.

House Bill No. 2950 -- Highway Signs - "Deputy Frank Jordan Memorial Highway," U.S. 70, Peagram. by *Williams (Williamson). (*SB3042 by *Kurita)

On motion, House Bill No. 2950 was made to conform with **Senate Bill No. 3042**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that Senate Bill No. 3042 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 3042 By renumbering Sections 4 and 5 of the printed bill as Sections 6 and 7, respectively, and by inserting the following language as new Sections 4 and 5:

SECTION 4. The department of transportation shall not erect the signs provided for by this act until the local government having jurisdiction over the location of the signs pays to the department a fee equal to the amount necessary to defray the expense of the signs, as determined by the department.

SECTION 5. If the signs provided for hereunder are to be located on a road other than a road designated as an interstate highway, the local government having jurisdiction over the location of the signs may, in lieu of paying the fee required by Section 4, supply to the department of transportation the signs provided for in this act. Any signs supplied by local government must be manufactured in accordance with standards established by the department of transportation, including, but not limited to, the Manual on Uniform Traffic Control Devices.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Williams moved that **Senate Bill No. 3042**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 3009** -- Traffic Safety - Deletes requirement that law enforcement officer witness separate violation of law to issue citation or warrant for arrest for violations of seat belt law; deletes citation only limitation for violations of seat belt law. Amends TCA Title 55, Chapter 9, Part 6. by *Newton, *Robinson. (SB3081 by *Haun, *Cohen, *Kurita)

On motion, House Bill No. 3009 was made to conform with **Senate Bill No. 3081**; the Senate Bill was substituted for the House Bill.

Rep. Newton moved that Senate Bill No. 3081 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 3081 By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-9-602(g), is amended by deleting the subsection in its entirety and by substituting instead the following:

(g)(1) Notwithstanding the provisions of § 55-9-603, any person transporting a child four (4) years of age and up to, and through, fifteen (15) years of age in a passenger motor vehicle upon a road, street, or highway of Tennessee is responsible for the protection of the child and properly using a child or other passenger restraint system, including safety belts, meeting federal motor vehicle safety standards for all children occupying any seat within a passenger motor vehicle as defined in this part.

(2) A person charged with a violation of this subsection may, in lieu of appearance in court, submit a fine of twenty dollars (\$20.00) to the clerk of the court which has jurisdiction of such offense within the county in which the offense charged is alleged to have been committed.

(3) A clerk's fee of twenty dollars (\$20.00) shall be imposed or assessed against anyone convicted of a violation of this subsection and shall be remitted to and retained by the clerk of the court. No litigation tax levied pursuant to the provisions of title 67, chapter 4, part 6, shall be imposed or assessed against anyone convicted of a violation of this subsection, nor shall any court costs, including but not limited to any statutory fees of officers, be imposed or assessed against anyone convicted of a violation of this subsection.

(4)(A) Notwithstanding any provision of subsection (f) to the contrary, the revenue generated by ten dollars (\$10.00) of the twenty dollar (\$20.00) fine under subdivision (g)(2) for a person's first conviction under this subsection, shall be deposited in the state general fund without being designated for any specific purpose. The remaining ten dollars (\$10.00) of such twenty dollar (\$20.00) fine for a person's first conviction under this subsection shall be deposited to the child safety fund in accordance with subsection (f).

(B) The revenue generated from such person's second or subsequent conviction under this subsection shall be deposited to the child safety fund in accordance with subsection (f).

(5) If all seat belts or other passenger restraints in a passenger motor vehicle originally provided by the manufacturer are occupied, no fine shall be imposed on a person pursuant to the provisions of this subsection for the failure of a child four (4) years of age through fifteen (15) years of age, inclusive, in the back seat to properly use a passenger restraint system.

(6) Notwithstanding any provision of law to the contrary, no more than one (1) citation may be issued for a violation of this subsection per vehicle per occasion.

SECTION 2. Tennessee Code Annotated, Section 55-9-603, is amended by adding the following language as a new, appropriately designated subsection:

(i)(1) Notwithstanding any provision of this section to the contrary, no person between sixteen (16) years of age and up to and through the age of seventeen (17) years of age, shall operate a passenger motor vehicle, or be a passenger therein, unless such person is restrained by a safety belt at all times the vehicle is in forward motion.

(2) Notwithstanding subsection (b)(1), the provisions of this subsection shall apply to all occupants between sixteen (16) years of age and eighteen (18) years of age occupying any seat in a passenger motor vehicle.

(3) Notwithstanding subsection (f)(1), a law enforcement officer observing a violation of this subsection shall issue a citation to the violator, but shall not arrest or take into custody any person solely for a violation of this subsection.

SECTION 3. Tennessee Code Annotated, Section 55-9-603(d), is amended by adding the following language as new subdivisions thereto:

(3)(A) Notwithstanding subdivision (2) to the contrary, a person charged with a violation of subsection (i) may, in lieu of appearance in court, submit a fine of twenty dollars (\$20.00) to the clerk of the court which has jurisdiction of such offense within the county in which the offense charged is alleged to have been committed.

(B) Notwithstanding any provision of subdivision (1) to the contrary, the revenue generated by ten dollars (\$10.00) of the twenty dollar (\$20.00) fine under subdivision (3)(A) for a person's first conviction under subsection (i) shall be deposited in the state general fund without being designated for any specific purpose. The remaining ten dollars (\$10.00) of such twenty dollar (\$20.00) fine for such person's first conviction under subsection (i) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation in accordance with subdivision (1).

(C) The revenue generated from such person's second or subsequent conviction under subsection (i) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation in accordance with subdivision (1).

SECTION 4. Tennessee Code Annotated, Section 55-9-603, is amended by deleting subsection (e) in its entirety and by substituting instead the following:

(e)(1) Except as provided in subdivision (2), no court costs, including but not limited to any statutory fees of officers, shall be imposed or assessed against anyone convicted of a violation of this section. No litigation tax levied pursuant to the provisions of title 67, chapter 4, part 6, shall be imposed or assessed against anyone convicted of a violation of this section.

(2) A clerk's fee of twenty dollars (\$20.00) shall be imposed or assessed against anyone convicted of a violation of subsection (i) and shall be remitted to and retained by the clerk of the court.

SECTION 5. This act shall take effect July 1, 2000, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Head moved the previous question, which motion prevailed by the following vote:

Ayes..... 61
Noes 25

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Representatives voting aye were: Arriola, Baird, Bittle, Black, Bone, Boyer, Buck, Buttry, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Eckles, Ford, Fowlkes, Garrett, Givens, Goins, Hagood, Hargett, Harwell, Hassell, Head, Hood, Kent, Kernell, Kisber, Langster, McAfee, McCord, McDaniel, McDonald, McMillan, Miller, Montgomery, Mumpower, Patton, Phelan, Phillips, Pinion, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wood -- 61.

Representatives voting no were: Armstrong, Beavers, Brooks, Brown, Chumney, Cooper, Davis (Washington), DeBerry J., DeBerry L., Ferguson, Fitzhugh, Fraley, Gunnels, Jones S., Kerr, Lewis, Maddox, McKee, Odom, Pruitt, Ridgeway, Sands, Towns, Turner (Shelby), Winningham -- 25.

Rep. Newton moved that **Senate Bill No. 3081**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes	8
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 83.

Representatives voting no were: Beavers, Brown, Cooper, DeBerry J., Jones U., Kerr, Phelan, Turner (Shelby) -- 8.

Representatives present and not voting were: Boyer, Dunn -- 2.

A motion to reconsider was tabled.

House Bill No. 2168 -- Highway Signs - "Adams Bridge," bridge spanning Obed River on S.R. 298, Cumberland County. by *Walker (Rhea), *Curtiss. (*SB2142 by *Davis L)

On motion, House Bill No. 2168 was made to conform with **Senate Bill No. 2142**; the Senate Bill was substituted for the House Bill.

Rep. Walker moved that Senate Bill No. 2142 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2142 By renumbering Sections 4 and 5 as Sections 6 and 7, respectively, and by inserting the following language as new Sections 4 and 5:

SECTION 4. The department of transportation shall not erect the signs provided for by this act until the local government having jurisdiction over the location of the signs pays to the department a fee equal to the amount necessary to defray the expense of the signs, as determined by the department.

SECTION 5. If the signs provided for hereunder are to be located on a road other than a road designated as an interstate highway, the local government having jurisdiction over the location of the signs may, in lieu of paying the fee required by Section 4, supply to the department of transportation the signs provided for in this act. Any signs supplied by local government must be manufactured in accordance with standards established by the department of transportation, including, but not limited to, the Manual on Uniform Traffic Control Devices.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Walker moved that **Senate Bill No. 2142**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 93
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

***House Bill No. 3019** -- Home Improvement Contractors - Increases maximum licensing fee collected from home improvement contractor from \$100 to \$125. Amends TCA 62-37-106. by *Ford S, *Head. (SB3086 by *Clabough)

On motion, House Bill No. 3019 was made to conform with **Senate Bill No. 3086**; the Senate Bill was substituted for the House Bill.

Rep. Ford moved that Senate Bill No. 3086 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 3086 by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following:

Any license issued by the commission shall be valid for two (2) years and the biennial license fee for the same shall not exceed two hundred fifty dollars (\$250.00).

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 2.

Rep. Ford moved that **Senate Bill No. 3086**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	65
Noes	18
Present and not voting	2

Representatives voting aye were: Arriola, Beavers, Bittle, Black, Boyer, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Washington), DeBerry J., DeBerry L., Eckles, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Hood, Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Montgomery, Mumpower, Newton, Patton, Phelan, Pinion, Ridgeway, Rinks, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker, Walley, Westmoreland, Williams, Wood -- 65.

Representatives voting no were: Armstrong, Baird, Bone, Chumney, Davidson, Dunn, Ferguson, Goins, McDonald, Odom, Phillips, Roach, Sands, Turner (Shelby), West, White, Windle, Winningham -- 18.

Representatives present and not voting were: Brooks, Towns -- 2.

A motion to reconsider was tabled.

***House Bill No. 3039** -- Mining and Quarrying - Changes fees for administering mine foreman examinations and for issuing and registering mine foreman qualification certificates from \$7.50 to \$25.00; permits department of labor and workforce development to organize and conduct mine safety programs and to charge fees of up to \$350 per program to defray costs of such programs. Amends TCA Title 59, Chapter 4. by *Kerr. (SB3111 by *Elsea)

Rep. Kerr moved that House Bill No. 3039 be reset for the Regular Calendar on May 18, 2000, which motion prevailed.

***House Bill No. 3049** -- Transportation, Dept. of - Authorizes department to allow installation of underground fiber optic cable within rights-of-way of highways. Amends TCA Title 54, Chapter 16. by *Ford S. (SB3122 by *Haun)

Rep. Ford moved that House Bill No. 3049 be reset for the Regular Calendar on May 18, 2000, which motion prevailed.

Senate Bill No. 3197 -- Alcoholic Beverage Commission - Authorizes alcoholic beverage commission, after conducting rule-making hearing, to adopt rules expanding hours of sale for liquor by the drink if petitioned by licensees; factors to be considered are hours of sale in contiguous states and competition. Amends TCA Section 57-4-203. by *Ford J. (*HB3144 by *Jones U (Shelby))

Further consideration of Senate Bill No. 3197 previously considered on today's Calendar.

Rep. U. Jones moved that Senate Bill No. 3197 be passed on third and final consideration.

Rep. Sands moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 3197 By adding the following language to the end of the amendatory language in Section 1:

"The governing body of any municipality or metropolitan government which has approved liquor by the drink by referendum may, at any time, opt out of any extension of hours adopted under this section by passage of a resolution. Further, any municipality or metropolitan government that has opted out may, at a later date, opt in by passage of a resolution."

On motion, Amendment No. 1 was adopted.

Rep. U. Jones moved that **Senate Bill No. 3197**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	61
Noes	27
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Bittle, Bone, Briley, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Davidson, Davis (Cocke), DeBerry J., DeBerry L., Eckles, Fowlkes, Fraley, Garrett, Givens, Hagood, Hargrove, Harwell, Hassell, Head, Jones S., Jones U., Kent, Kernell, Kisber, Langster, McAfee, McCord, McKee, McMillan, Miller, Newton, Phelan, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, West, Westmoreland, White, Whitson, Williams, Winningham, Mr. Speaker Naifeh -- 61.

Representatives voting no were: Baird, Beavers, Black, Bunch, Buttry, Curtiss, Davis (Washington), Dunn, Ferguson, Fitzhugh, Ford, Godsey, Goins, Hargett, Hood, Kerr, Lewis, Maddox, McDaniel, McDonald, Montgomery, Mumpower, Pinion, Tidwell, Walley, Windle, Wood -- 27.

Representatives present and not voting were: Boyer, Brooks, Brown, Patton, Pleasant -- 5.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from aye to no on Senate Bill No. 3197 and have this statement entered in the Journal: Rep(s). J. DeBerry.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1022 -- Housing - Authorizes city housing authority to add non-voting member who is tenant of housing authority in good standing for six months before being appointed to authority. Amends TCA Title 13, Chapter 20. by *Jackson. (*SB442 by *Graves)

On motion, House Bill No. 1022 was reset for the Message Calendar on May 15, 2000, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1370 -- Boats, Boating - Specifies regulation fee rates for salvaged vessels; requires persons operating vessels to have identification; exempts certain persons and vessels from operating requirements; makes other various changes to boating regulations. Amends TCA Section 69-10-207(b); Section 69-10-216; Section 69-10-220 and Section 69-10-506. by *McCord, *Bittle. (*SB415 by *Ramsey)

Senate Amendment No. 1

AMEND House Bill No. 1370 by deleting Section 2 in its entirety and by redesignating the subsequent sections accordingly.

Rep. McCord moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 1370**, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2408** -- Hazardous Materials - Creates Class A misdemeanor offense, punishable by fine of \$2,500 for leaving truck containing hazardous materials unsecured or unattended in residential area. Amends TCA Title 55 and Title 68, Chapter 212. by *Langster, *Jones, S., *Pruitt, *Bowers. (SB2783 by *Ramsey)

Further consideration of House Bill No. 2408 previously considered on May 8, 2000, at which time it was reset for today's Message Calendar.

Senate Amendment No. 1

AMEND House Bill No. 2408 by deleting from Section 1 the language "unattended or unsecured any truck" and by substituting instead the language "unsecured and unattended any truck".

Rep. Langster moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2408**, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2600 -- Funeral Directors and Embalmers - Repeals cremation provisions; requires cremations be delayed if requested by person signing death certificate or law enforcement officer if suspicion as to cause of death. Amends TCA Title 62, Chapter 5, by *Kerr, *Dunn, *Odom, *Hargett, *Black, *Baird, *Garrett, *Walker (Rhea), *Winningham, *Tidwell, *Jones, S., *Hagood, *Caldwell, *West, *Sands, *Ferguson, *Eckles, *Arriola, *Bone, *Briley, *Harwell, *Gunnels, *Beavers, *Buttry, *Patton, *Ford S., *Davis (Washington), *Hood, *Davidson. (*SB2827 by *Burchett, *Burks, *Haun, *Williams, *Atchley, *Kurita, *Burchett)

Senate Amendment No. 8

AMEND House Bill No. 2600 By deleting the following language, as passed by the House:

Section 62-5-513. If the body is to be cremated, then the county medical examiner must make a determination of whether the cremation may proceed within twenty-four (24) hours of being notified in accordance with the requirements of §38-7-108.

and by substituting instead the following language:

Section 62-5-513. If a person who signs the death certificate, a district attorney or any law enforcement officer, or an emergency medical or rescue worker, emergency medical technician or paramedic who attended the person immediately prior to or after such person's death, signs a written statement requesting the delay of a cremation based upon a reasonable belief that the cause of death may have been due to other than accidental or natural causes, then the cremation of a dead human body shall be delayed based upon such request.

Rep. Kerr moved that the House concur in Senate Amendment(s) No(s). 8 to **House Bill No. 2600**, which motion prevailed by the following vote:

Ayes..... 93
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2720 -- Financial Disclosure - Clarifies that Chattanooga, Knoxville, Nashville and Memphis may adopt ordinances enacting more stringent financial disclosure requirements of candidates for municipal public office than required under Campaign Financial Disclosure Act of 1980. Amends TCA Title 2. by *Tindell, *Hagood, *Dunn, *Bittle, *Buttry. (*SB2878 by *Atchley, *Burchett)

Further consideration of House Bill No. 2720 previously considered on May 8, 2000, at which time it was reset for today's Message Calendar.

Senate Amendment No. 1

AMEND House Bill No. 2720 by deleting in its entirety the amendatory language of Section 1, and by substituting instead the following language:

() Nothing in this part shall be construed as prohibiting the largest municipality located within any county having a population of not less than three hundred thirty-five thousand (335,000) nor more than three hundred thirty-six thousand (336,000), according to the 1990 federal census or any subsequent federal census, from enacting, by ordinance or charter amendment, more stringent financial disclosures of candidates for municipal local public office than those requirements imposed by the provisions of this part. A municipality adopting more stringent requirements pursuant to this act shall compensate the county for any additional expenses incurred by the county election commission as a result of adopting more stringent requirements.

Rep. Tindell moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2720**, which motion prevailed by the following vote:

Ayes 91
Noes 1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Kernell -- 1.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2770 -- University of Tennessee - Provides that copyrighted computer materials held by state institution, the University of Tennessee, are not open to public inspection; provides that such materials produced by UT employees are open to audit inspections. Amends TCA Title 49, Chapter 9. by *Armstrong, *McDaniel. (*SB2564 by *Cooper, *Ramsey)

Senate Amendment No. 1

AMEND House Bill No. 2770 by deleting Section 1 of the printed bill in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 9, is amended by adding the following as a new Part 14:

**Part 14 RESEARCH AND DEVELOPMENT AT THE
UNIVERSITY OF TENNESSEE**

Section 49-9-1401. The purpose of this part is to enhance the competitive position of the University of Tennessee for research and development funding and otherwise to facilitate expanded research and development activities at the university, the premier public research university in this state. The further purpose of this part is to facilitate the commercialization of university research outcomes and the transfer of research-generated technology from the university to commercial and industrial enterprises in furtherance of the economic development of this state. This part shall be liberally construed in conformity with its purposes.

Section 49-9-1402. (a) Without intending any limitation of the express and implied powers vested in the University of Tennessee, the general assembly hereby expressly recognizes the university's authority to take whatever steps it deems necessary to form and participate in legal entities organized under the laws of this state for the purpose of promoting, supporting, and carrying out the university's research mission, including without limitation the commercialization of research outcomes and the transfer of research-generated products, ideas, processes, and other technology from the university to commercial and industrial enterprises. The general assembly further expressly recognizes the university's authority to enter into joint ventures and other cooperative arrangements with such entities in furtherance of the purposes of this part.

(b) Entities described in subsection (a) may be vested with any power and charged with any responsibility necessary or desirable to facilitate research and development at the university, commercialization of university research outcomes, and transfer of research-generated technology from the university to commercial and industrial enterprises.

Section 49-9-1403. Entities described in Section 49-9-1402(a) shall not be deemed or construed to be an agency, department, instrumentality, political subdivision or other arm of the state.

Section 49-9-1404. The operations of entities described in Section 49-9-1402(a) shall be audited annually by an independent certified public accountant, and copies of the audit shall be furnished to the comptroller of the treasury. An entity described in Section 49-9-1402(a) shall also be subject to audit by the comptroller of the treasury, but nothing in this section shall be construed to mean that such entity is an agency, department, instrumentality, political subdivision or other arm of the state.

Section 49-9-1405. Notwithstanding any provision of law to the contrary, entities described in Section 49-9-1402(a) may use the services of university employees, entity employees, and employees of other entities.

Section 49-9-1406. Debts, liabilities, and other obligations of an entity described in Section 49-9-1402(a) shall not constitute debts, liabilities, or obligations of the state or the university.

Section 49-9-1407. Nothing contained in this part shall be deemed or construed to waive or abrogate in any way the sovereign immunity of the state, the university, or any officer or employee of the state or university or to deprive any officer or employee of the state or university of any other immunity to which the officer or employee is otherwise entitled under state law.

Section 49-9-1408. The provisions of this part shall constitute full and complete authority, without regard to the provisions of any other law, for the doing of the acts and things herein authorized and shall be liberally construed to effect its purposes. If the provisions of this part are inconsistent with the provisions of any other law, the provisions of this part shall be controlling.

Section 49-9-1409. The provisions of this part are severable, and it is the intention to enact the whole or any part of the powers provided for in this part. If any provision of this part, or the application thereof to any person or circumstance, is for any reason held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, the remaining provisions of this part shall remain in full force and effect.

Senate Amendment No. 1 to 1

AMEND Senate Amendment No. 1 by deleting the following from the amendatory language of Section 1:

Section 49-9-1405. Notwithstanding any provision of law to the contrary, entities described in Section 49-9-1402(a) may enter into agreements for the services of university employees, entity employees, and employees of other entities.

AND FURTHER AMEND by adding the following to the amendatory language of Section 1:

Section 49-9-1405. Entities described in Section 49-9-1402(a) may enter into agreements for the services of university employees and employees of other entities.

AND FURTHER AMEND by deleting the following from the amendatory language of Section 1:

Section 49-9-1408. The provisions of this part shall constitute full and complete authority, without regard to the provisions of any other law, for the doing of the acts and things herein authorized and shall be liberally construed to effect its purposes. If the provisions of this part are inconsistent with the provisions of any other law, the provisions of this part shall be controlling; provided, however, that the provisions of Tennessee Code Annotated, Section 4-15-102, 12-2-112, 12-2-114, and 12-2-115, shall apply to transactions between the university and entities described in Section 49-9-1402(a).

AND FURTHER AMEND by adding the following to the amendatory language of Section 1:

Section 49-9-1408. The provisions of this part shall constitute full and complete authority, without regard to the provisions of any other law, for the doing of the acts and things herein authorized and shall be liberally construed to effect its purposes. If the provisions of this part are inconsistent with the provisions of any other law, the provisions of this part shall be controlling; provided, however, that the provisions of Tennessee Code Annotated, Section 4-15-102, 12-2-112, 12-2-114, and 12-2-115, shall apply to transactions between the university and entities described in Section 49-9-1402(a); and provided further that nothing in this part shall be construed to amend, repeal, or supersede the provisions of, or the obligations of the state or the university's board of trustees under Tennessee Code Annotated, Section 9-9-113(b) and Section 49-3-1206 or any agreements entered into by the board of trustees under Section 49-3-1206.

Rep. Armstrong moved that the House concur in Senate Amendment(s) No(s). 1 as amended to **House Bill No. 2770**, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 3035 -- Architects, Engineers and Designers - Deletes provision giving board of architects and engineers authority, subject to approval of department of commerce and insurance, to authorize one administrative person to attend state, regional and national registration meetings. Amends TCA Section 62-2-206. by *Crowe, *Henry. (*HB2881 by *Armstrong)

Rep. Armstrong moved that Senate Bill No. 3035 be reset for the Message Calendar on May 15, 2000, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 3101 -- Domestic Violence - Creates domestic abuse death review team and procedures to assist persons performing autopsies on domestic abuse victims Amends TCA Title 36, Chapter 3, Part 6. by *McMillan. (*SB2674 by *Cohen)

Senate Amendment No. 1

AMEND House Bill No. 3101 by adding the following as a new subsection to Section 1:

(f) To complete a review of a domestic abuse death, whether confirmed or suspected, each domestic abuse death team shall have access to, and subpoena power to obtain, all records of any nature maintained by any public or private entity that may pertain to a death being investigated by the team including, but not limited to, police investigations and reports, medical examiner investigative data and reports and social service agency records, as well as medical records maintained by a private health care provider or a health care agency. Any entity or individual providing such information to the local team shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed for such action.

Rep. McMillan moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 3101**, which motion prevailed by the following vote:

Ayes..... 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowikes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 3227** -- Litter Control - Includes Washington County in list of counties presently authorized to control and remove vegetation on owner-occupied properties within county. Amends TCA Section 5-1-115. by *Patton. (SB3220 by *Crowe)

Senate Amendment No. 1

AMEND House Bill No. 3227 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall have no effect in any county unless it is approved by a two-thirds (2/3) vote of the legislative body of such county.

Rep. Patton moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 3227**, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Kisber moved that the rules be suspended in order to allow House Bill(s) No(s). 2482, 2677, 2755 and House Bill No. 2578/Senate Bill No. 2932 to be properly placed on notice for the Budget Subcommittee for the week of May 15, 2000, which motion prevailed.

BILLS WITHDRAWN

On motion of Rep. McAfee, **House Bill No. 3112** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. McAfee, **House Bill No. 3131** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. Ford, **House Bill No. 3340** was withdrawn from the House.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on May 15, 2000:

House Bill No. 2318: by Rep. Kisber

House Bill No. 2140: by Rep. West

House Bill No. 2332: by Rep. Kisber

House Bill No. 691: by Rep. S. Jones

House Bill No. 3048: by Rep. Westmoreland

House Bill No. 3014: by Rep. Davis (Cocke)

House Bill No. 2650: by Rep. McMillan

House Bill No. 1189: by Rep. McMillan

House Bill No. 1601: by Rep. Lewis

House Bill No. 2423: by Rep. Kernell

House Bill No. 3064: by Rep. Kisber

House Bill No. 2919: by Rep. Scroggs

House Bill No. 2921: by Rep. Scroggs

House Bill No. 2917: by Rep. Scroggs

House Bill No. 2914: by Rep. Scroggs

Senate Bill No. 2794: by Rep. Sands

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on May 18, 2000:

House Bill No. 2684: by Rep. Garrett

MOTION TO RESET BILL

Rep. Fitzhugh requested that House Bill No. 1967 be reset for the Regular Calendar on Thursday, May 18, 2000 instead on Monday, May 15, 2000, without objection.

ANNOUNCEMENTS

MOTION TO ADOPT REVISED HOUSE SCHEDULE

Rep. McDaniel moved that the House convene at 4:00 p.m. on Monday, May 15, 2000, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1672: Rep(s). Kisber as prime sponsor(s).

House Bill No. 1849: Rep(s). Cooper as prime sponsor(s).

House Bill No. 1920: Rep(s). Kisber as prime sponsor(s).

House Bill No. 2326: Rep(s). Walker as prime sponsor(s).

House Bill No. 2347: Rep(s). Ferguson as prime sponsor(s).

House Bill No. 2755: Rep(s). Hargett as prime sponsor(s).

House Bill No. 3035: Rep(s). Arriola as prime sponsor(s).

ENGROSSED BILLS

May 11, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 695.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

May 11, 2000

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 558, 2160, 2503, 2594, 2834, also, House Joint Resolution(s) No(s) 692, 693, 694, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 708, 709, 710, 711 and 712.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2027, 2104, 2221 and 2367; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2472, 3030 and 3032; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2180, 3156 and 3160; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1139, 2159, 2291, 2766, 3027, 3152, 3183, 3237 and 3259; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Bill No. 1139 -- Public Buildings - Establishes that public building authorities shall not be considered to be instrumentalities of local government for purposes of conflict of interest requirements related to competitive bid processes. Amends TCA Title 12, Chapter 10, Part 1. by *Clabough. (*HB872 by *Kerr)

Senate Bill No. 2159 -- Courts, Administrative Office of the - Directs administrative office of the courts to create statewide uniform application for pretrial diversion. Amends TCA Title 16, Chapter 3, Part 8 and Title 40. by *Cohen. (*HB2113 by *Buck)

THURSDAY, MAY 11, 2000 – SEVENTY-SIXTH LEGISLATIVE DAY

***Senate Bill No. 2291** -- Taxes, Privilege - Earmarks portion of proceeds from Local Parks Acquisition Fund for program administration by recreation resources division of department of environment and conservation; limits amount commissioner may allocate to not more than 3.5 percent of moneys in fund Amends TCA Section 67-4-409. by *Crutchfield. (HB2710 by *Odom)

***Senate Bill No. 2766** -- Taxes, Real Property - Provides for property tax exemptions for business incubators. Amends TCA Title 67, Chapter 5, Part 2. by *McNally, *Dixon, *Kyle. (HB2492 by *Caldwell)

Senate Bill No. 3027 -- Mental Retardation - Sets methodology for determining payments to entities which contract with department of mental health and mental retardation for mental retardation services. Amends TCA Title 33. by *Springer, P, *Rochelle, *Fowler. (*HB2841 by *Eckles, *Wood, *Armstrong)

***Senate Bill No. 3152** -- Education - Requires department of safety to deny driver license or permit to student withdrawn from secondary school who has three unexcused absences while attending course leading to GED certificate. Amends TCA Section 49-6-3017 and Title 55, Chapter 50. by *Davis L. (HB3180 by *West)

Senate Bill No. 3183 -- Insurance, Motor Vehicles - Prohibits setting motor vehicle insurance rates by zip code. Amends TCA Title 56, Chapter 5, Part 3. by *Dixon. (*HB2944 by *Bowers)

Senate Bill No. 3237 -- Insurance, Health, Accident - Prohibits wrongful declination of accident and health coverage; establishes guidelines. Amends TCA Title 56. by *McNally, *Blackburn, *Kurita. (*HB3241 by *Scroggs)

Senate Bill No. 3259 -- Motor Vehicles, Titling and Registration - Reclassifies Nashville Predators cultural license plate as new specialty earmarked plate Amends TCA Title 55, Chapter 4. by *Haynes. (*HB3266 by *West)

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 581, 2157, 2191, 2622, 2685, 2920 and 3090; for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

SIGNED

May 11, 2000

The Speaker signed the following: Senate Bill(s) No(s). 581, 2157, 2191, 2622, 2685, 2920 and 3090.

MESSAGE FROM THE SENATE

May 11, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 662, 663, 664, 665, 667, 668, 669, 671, 672, 673, 674, 675, 676, 679, 680, 681, 682, 683, 684, 686, 687, 688, 689, 690, 691 and 695; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

ENROLLED BILLS

May 11, 2000

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 215, 216, 217 and 218; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 11, 2000

The Speaker signed the following: House Resolution(s) No(s). 215, 216, 217 and 218.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

CONSENT CALENDAR

May 11, 2000

The following local bills have been placed on the Consent Calendar for **May 15, 2000**: House Bill(s) No(s). 3322, 3323, 3326, 3327, 3329, 3330 and 3331.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

THURSDAY, MAY 11, 2000 – SEVENTY-SIXTH LEGISLATIVE DAY

RECESS MOTION

On motion of Rep. Arriola, the House stood in recess until 4:00 p.m., Monday, May 15, 2000.